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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,019	09/11/2003	Paul Lapstun	IP38US	4813
24011	7590	02/23/2005	EXAMINER	
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			GRANT II, JEROME	
			ART UNIT	PAPER NUMBER
			2626	

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/659,019	Applicant(s) LAPSTUN ET AL	
	Examiner Jerome Grant II	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☒ Claim(s) 12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


Jerome Grant II
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2-21-2005</u> . | 6) <input type="checkbox"/> Other: ____. |

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Detailed Action

a.

Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

There is no antecedent for said contone data to bi-level data. Correction is required.

b.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-6, 8, 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parker in view of Shimazaki.

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With respect to claim 1, Parker teaches a method of printing comprising the steps of:

Bus 13 for receiving compressed page data comprising contone from unit 20 and bi-level data from unit 18; decompressing the contone data via encoder decoder 20; decompressing the bi-level data via encoder/decoder 18; compositing the bi-level and contone data via memory 14, and printer 25 for printing the composite image data.

What Parker does not show is the halftoning as claimed.

Shimazaki teaches a halftone continuous tone data in 26 to bi-level output by circuit 24.

Since, Parker and Shimazaki are both directed toward printing continuous tone and bi-level images, the purpose of halftoning as claimed would have been recognized by Parker as set forth by Shimazaki.

It would have been obvious to one of ordinary skill in the art to add a halftone processor to bus 13 of figure 1 of Parker to halftone contone to bilevel images as clearly provided by Shimazaki.

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With respect to claim 3, Parker in view of Shimazaki teaches all of the subject matter upon which the claim except that it does not recite the use of a Memjet.

The examiner submits that it would have been obvious to substitute a Memjet in place of printer 25 of Parker for the reason that no apparent reasons has been advanced for using a Memjet . Therefore, its use would have been contemplated as an equivalent output means for printed data.

With respect to claim 4, Parker in view of Shimazaki teaches all of the subject matter upon which the the claim depends except for the printer interface. However printer interfaces are well known in the art.

With respect to claim 5, Parker uses counter 14 and clocks thereto for the controlling of the rate of data transfer. Thus by changing these parameter, the rate of transfer can be held constant.

With respect to claim 6, Parker illustrates in figure 1 data read to printer 25 and decompressed certain data 20 and bi-level data 18 to be performed simultaneously.

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With respect to claim 8, With the CMY values or RGB values each set to the minimum, black data is obtained.

With respect to claim 9 Shimazaki teaches CMY signals. Furthermore Parker teaches RGB signals which can be converted to CMY signals. teaches black data when CMY K are the minimum values, see page 2, lines 25 and page 3, lines 5-10.

With respect to claim 11, Parker teaches an integrated circuit (figure 1) comprising: a processor bus 13; a ppurposer function units 12, 23, 24 and 25 for example shown in figure 1; as claimed comprising: a JPEG decoder 20; a bi-level decoder 18; a halftoner 12; and a program ROM, see col. 6, line 44 of Parker; and a general purpose processor 12 operatively connected to said processor bus for controlling the functional units as claimed.

c.

Claims Objected to As Containing Allowable Matter

Claim 12 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Claims 2, 7, 10 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

d.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 703-305-4391. The examiner can normally be reached on Mon.-Fri. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams, can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JEROME GRANT II
PRIMARY EXAMINER